

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 594, FOOD AND DRUGS ACT.

MISBRANDING OF "WISEOLA."

(SOFT DRINK CONTAINING COCAINE.)

On or about October 16, 1908, the Wiseola Company, a corporation, Birmingham, Ala., shipped from the State of Alabama to the State of Louisiana a consignment of a food product labeled "Wiseola." Samples of this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report thereon indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded said Wiseola Company and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Northern District of Alabama against the said Wiseola Company, charging the above shipment and alleging that the product so shipped was misbranded, in that it contained cocaine, and the package containing said product failed to bear a statement on the label of the quantity or proportion of cocaine contained therein.

On March 2, 1910, the defendant entered a plea of guilty and the court imposed a fine of \$25 and costs.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *September 9, 1910.*

